

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	)	
	)	No. 3:02-cr-7
Plaintiff,	)	
	)	
vs.	)	
	)	<b>APPLICATION FOR</b>
GABRIEL CLARK-AIGNER,	)	<b>WRIT OF HABEAS CORPUS</b>
	)	<b><u>AD TESTIFICANDUM</u></b>
Defendant.	)	
_____	)	

Excludable delay under 18 U.S.C. 3161(H), delay attributable to filing by a defendant, may occur as a result of the filing and/or granting of the instant motion.

Gabriel Clark-Aigner, through counsel, hereby moves this court for an order directing that the clerk of court issue a Writ of Habeas Corpus to the United States Marshal's Service and to the United States Bureau of Prisons to bring material witness Gabriel Clark-Aigner before this court on the 5<sup>th</sup> day of July, 2006 at 9:30 a.m. in the courtroom of United States Magistrate Judge John D. Roberts.

Gabriel Clark-Aigner's presence is required because an evidentiary hearing has been scheduled for July 5, 2006 at 9:30 a.m. Gabriel Clark-Aigner may offer testimony at this evidentiary hearing and is being held under and at:

Gabriel Clark-Aigner  
Registration Number 14425-006  
U.S. Penitentiary Hazelton  
P.O. Box 2000  
Bruceton Mills, West Virginia 26525

Gabriel Clark-Aigner further requests that he be transported to Anchorage, Alaska on or before July 1, 2006 so that he will have an opportunity to consult with counsel prior to the evidentiary hearing.

This request is based upon the affidavit of counsel filed herewith.

DATED this 1<sup>st</sup> day of June, 2006 at Anchorage, Alaska.

Sterling & DeArmond  
Counsel for Defendant  
Gabriel Clark-Aigner

By: s/ Scott A. Sterling

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was served by fax  
on the 1<sup>st</sup> day of June, 2006 upon:

AUSA Kevin Feldis  
222 West 7<sup>th</sup> Avenue  
Anchorage, Alaska 99513  
Fax:: (907) 271-1500  
Counsel for Plaintiff

By: /s/ Scott A. Sterling